



CODE OF CONDUCT and PERSONAL BEHAVIOUR POLICY

ADOPTED :

Model Policy adopted by GRS

DATE OF LAST REVIEW :

September 2023

REVIEWED BY :

Governing Body

DATE OF NEXT REVIEW :

September 2025

Code of Conduct and Personal Behaviour

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POLICY STATEMENT

The School believes that it is essential for standards of conduct at work to be maintained to ensure delivery of quality services and also to protect the well being of all its employees and pupils. The following policy will make sure that all employees are aware of the standards set by the School.

PURPOSE

The purpose of this policy is to establish, and encourage all employees to achieve, high standards of conduct at work, and to help provide a fair and consistent way of dealing with alleged failures to observe them.

- All employees in the School are expected to give the highest possible standard of service to the public. Employees should conduct themselves with integrity, impartiality and honesty. Breaches of conduct and personal behaviour will be dealt with under the Policy and Guidance for Discipline.
- All employees in the School have an absolute duty to promote and safeguard the welfare of children in the school, and to take appropriate action where they consider that a child may be at risk of suffering harm. All employees are expected to comply with the guidance at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1181955/Keeping_children_safe_in_education_2023.pdf
- Teachers are in addition bound by the code contained in the Teachers Standards. While Teachers are bound by the code, the School consider the principles to apply to all staff employed in the School and not exclusive to teachers.

SCOPE

The policy applies to all employees and temporary/casual workers of the School including volunteers.

EQUAL OPPORTUNITIES

Our Equal Opportunity Policy reflects one of the School's core values. All employees are entitled to fair treatment by others, and to be treated with respect and dignity. In return, they are expected to treat others in this way.

OTHER SUPPORTING POLICIES

To assist the School the following policies exist in conjunction with the Code of Conduct Policy

- Child Protection/Safeguarding
- Disciplinary
- Preventing Bullying
- Complaints
- Equal Opportunities
- Internet Use
- Smoking
- Data Protection

CONFIDENTIALITY

Employees must not disclose official/confidential information. Employees must not use information obtained in the course of their employment for personal gain or benefit, nor should they pass it on to others who might use it in such a way. Also for information relating to patents and intellectual property.

Information on pupils may not be disclosed without the consent of the child's parent, or where a child is of reasonable understanding, the child. The only exceptions to this are:

- To safeguard the welfare of the child, information may be disclosed in accordance with the school's child protection policy, the Berkshire Authorities' Child Protection Guidance, and Working Together To Safeguard Children 2018
https://assets.publishing.service.gov.uk/media/5fd0a8e78fa8f54d5d6555f9/Working_together_to_safeguard_children_inter_agency_guidance.pdf
- Where information is requested by the Police to detect or prevent offending.
- Where otherwise allowed to be disclosed by a legal obligation (for example, to give information to a child protection case conference), or an Order of a Court.

It may not be appropriate to agree to maintain confidentiality, where to do so would cause harm or allow unacceptable practices to persist. For further information see the Whistleblowing Policy.

The school processes any personal data collected during the code of conduct process in accordance with its data protection policy. Further details can be found in the Privacy Notice on the school's website. Any data collected is held securely and accessed by, and disclosed to, individuals only for the purposes of completing the code of conduct procedure.

DISCLOSURE OF INFORMATION

Employees of the School may in the course of their duties have access to confidential information. The law requires that certain types of information must be available to LA Members, auditors, government departments, service users and the public.

Employees must not use any information obtained during their employment for personal gain or benefit, nor should they pass it on to others who might use it for personal advantage.

Disclosure of personal information relating to employees/pupils/ public

Many employees have access to personal information relating to other employees, pupils and other members of the public. All employees must treat this information in a discreet and confidential manner (the Data Protection Act 2018) and adhere to the following guidelines:

- Written records and correspondence should be kept securely at all times.
- Information relating to staff/pupils/public must not be disclosed either orally or in writing to unauthorised persons.
- Information relating to pupils/public must not be given over the telephone unless the caller has given details of their right to ask for such information. Employees should check on the caller's right to information by obtaining their telephone number and calling back to check their identity or by asking for a written request for information.
- Confidential matters relating to staff/pupils/public should not be discussed in areas where they may be heard by passers-by, i.e. corridors, reception, lifts, staff room, etc.
- Any breach of confidentiality may be regarded as misconduct and be subject to disciplinary action, see the Discipline Policy.

As a general rule employees should not make statements or write letters to the media, if in doubt they should refer such matters to their Head Teacher.

ADDITIONAL ACTIVITIES

For the purposes of the Working Time Regulations employees who have more than one employment (either inside or outside the School) should seek their Head Teacher's approval, this should be reviewed annually. Before undertaking another job, employees must also inform their manager of other work undertaken so that the total level of work undertaken can be monitored. Managers should also find out if prospective employees have secondary employment that may prevent them from performing their job with the School to the standards desired.

The policy does not bar all outside work, however, all employees must be clear about their contractual obligations and must not take outside employment that conflicts with the School's interests or damages the School's interests or reputation.

CONFLICT OF INTEREST

All employees should ensure before they undertake additional employment that there is no conflict of interest with their duties or with the School's interests.

The public expects transparency and accountability in how decisions are made. The School expects its employees to give the highest possible standard of service and to avoid any situation where private and School interests may conflict. An employee, who believes that she or he is in a situation that may cause a conflict of interest, should discuss their situation with their Manager/Head Teacher.

Where this is not declared and there is a clear conflict of interest this may be considered misconduct. Where there is a financial/other benefit to the employee it may be seen as gross misconduct. Where there is a likelihood of dismissal for inappropriate personal interest, it is the responsibility of the School to demonstrate that there is a genuine financial risk in continuing to employ the employee in the same capacity. An investigation will be necessary before beginning such a course of action. Below are further examples of what constitutes personal interest:

- Employees must exercise fairness and impartiality when dealing with all parents, pupils, customers, suppliers, other contractors and sub-contractors and no part of the local community should be discriminated against.
- Employees who have access to confidential information on tenders or costs for either internal or external contractors must not disclose that information to any unauthorised party or organisation.
- Employees, who engage or supervise contractors or have any other official relationship with contractors and have previously had or currently have a private or domestic relationship with them, must declare that relationship to their manager.

Employees must also declare an interest where:

- An employee has membership of any organisation not open to the public without formal membership and commitment of allegiance and which has secrecy about rules, membership or conduct.
- Where an employee allocates school places to an acquaintance or relative

The Bribery Act 2010

Under the Bribery Act (2010) it is an offence to offer or receive bribes or improper inducements for any purpose.

The School defines bribery as ‘an inducement or reward offered, promised or provided to gain personal, commercial, regulatory or contractual advantage’.

There are four key offences under the Act:

- bribery of another person
- accepting a bribe
- bribing a foreign official and
- failing to prevent bribery.

Employees must not:

- offer, promise or give a bribe
- request, agree to receive, or accept a bribe
- bribe a foreign public official with the intention of obtaining or retaining business or an advantage in the conduct of business.

It is a criminal offence for employees to use a third party as a means to direct bribes to others. Employees must not encourage bribery either directly or indirectly.

Where employees believe that this policy has been breached they should report it to their line manager or for confidential reporting use the whistle-blowing policy. The consequences of breaching the policy for employees and managers will be disciplinary action and may also result in a criminal penalty.

INVENTIONS AND PATENTS

The Patents Act 1977 as amended by the 1988 UK Copyright, Designs and Patents Act states that inventions and patents, e.g. plans, reports, designs, unique processes or software, etc. are the property of the employer if:

- They have been made in the course of the employee’s normal duties; or
- They have been made in the course of duties specifically assigned to the employee and where invention might be reasonably expected; or
- It was made in the course of the employee’s duties and at the time the employee had (because of the nature of his or her duties and particular responsibilities arising from them) a special obligation to further the interests of the employer.

RELATIONSHIPS

Employees should always remember their responsibilities to the community they serve and ensure courteous, efficient and impartial service delivery to all groups and individuals within the community.

CONTACT WITH PUPILS AND OTHER YOUNG PEOPLE

The DfE produced an advisory document called ‘Guidance for safer working practice for those working with children and young people in education settings’. Safer Recruitment Consortium. <https://www.virtual-college.co.uk/guidance-for-safer-working-practice-2022.pdf>

The governing body has endorsed this guidance and staff are expected to be guided by it.

The guidance includes information on dealing with:

- Infatuations

- Social Contact
- Physical Contact
- Physical Education and other activities which require physical contact
- Showers and Changing
- Pupils in Distress
- Behaviour Management
- Care, Control and Physical Intervention
- Sexual Contact with Young People
- One to One Situations
- Overnight Supervision and Examinations
- Transporting Children
- Educational Visits and After School Clubs
- First Aid and Administration of Medication
- Intimate Care
- Sensitive areas of the Curriculum
- Photography, Videos and other Creative Arts

ALLEGATIONS OF ABUSE MADE AGAINST STAFF

This section is based on ‘Section 1: Allegations that may meet the harms threshold’ in part 4 of Keeping Children Safe in Education.

This section applies to all cases in which it is alleged that a current member of staff, including a supply teacher, volunteer, or contractor, has:

- Behaved in a way that has harmed a child, or may have harmed a child, and/or
- Possibly committed a criminal offence against or related to a child, and/or
- Behaved towards a child or children in a way that indicates he or she may pose a risk of harm to children, and/or
- Behaved or may have behaved in a way that indicates they may not be suitable to work with children – this includes behaviour taking place both inside and outside of school

We will deal with any allegation of abuse quickly, in a fair and consistent way that provides effective child protection while also supporting the individual who is the subject of the allegation.

A ‘case manager’ will lead any investigation. This will be the Executive head teacher, or the chair of Governors where the executive head teacher is the subject of the allegation. The case manager will be identified at the earliest opportunity.

Our procedures for dealing with allegations will be applied with common sense and judgement.

Suspension of the accused until the case is resolved

Suspension of the accused will not be the default position and will only be considered in cases where there is reason to suspect that a child or other children is/are at risk of harm, or the case is so serious that there might be grounds for dismissal. In such cases, we will only suspend an individual if we have considered all other options available and there is no reasonable alternative.

Based on an assessment of risk, we will consider alternatives such as:

- Redeployment within the school so that the individual does not have direct contact with the child or children concerned
- Providing an assistant to be present when the individual has contact with children

- Redeploying the individual to alternative work in the school so that they do not have unsupervised access to children
- Moving the child or children to classes where they will not come into contact with the individual, making it clear that this is not a punishment and parents/carers have been consulted
- Temporarily redeploying the individual to another role in a different location, for example to an alternative school or other work for the local authority

If in doubt, the case manager will seek views from the school's personnel adviser and the designated officer at the local authority, as well as the police and children's social care where they have been involved.

Definitions for outcomes of allegation investigations

Substantiated: there is sufficient evidence to prove the allegation

Malicious: there is sufficient evidence to disprove the allegation and there has been a deliberate act to deceive, or to cause harm to the subject of the allegation

False: there is sufficient evidence to disprove the allegation

Unsubstantiated: there is insufficient evidence to either prove or disprove the allegation (this does not imply guilt or innocence)

Unfounded: to reflect cases where there is no evidence or proper basis which supports the allegation being made

Procedure for dealing with allegations

In the event of an allegation that meets the criteria above, the case manager will take the following steps:

- Conduct basic enquiries in line with local procedures to establish the facts to help determine whether there is any foundation to the allegation before carrying on with the steps below
- Discuss the allegation with the designated officer at the local authority. This is to consider the nature, content and context of the allegation and agree a course of action, including whether further enquiries are necessary to enable a decision on how to proceed, and whether it is necessary to involve the police and/or children's social care services. (The case manager may, on occasion, consider it necessary to involve the police *before* consulting the designated officer – for example, if the accused individual is deemed to be an immediate risk to children or there is evidence of a possible criminal offence. In such cases, the case manager will notify the designated officer as soon as practicably possible after contacting the police)
- Inform the accused individual of the concerns or allegations and likely course of action as soon as possible after speaking to the designated officer (and the police or children's social care services, where necessary). Where the police and/or children's social care services are involved, the case manager will only share such information with the individual as has been agreed with those agencies
- Where appropriate (in the circumstances described above), carefully consider whether suspension of the individual from contact with children at the school is justified or whether alternative arrangements such as those outlined above can be put in place. Advice will be sought from the designated officer, police and/or children's social care services, as appropriate
- Where the case manager is concerned about the welfare of other children in the community or the individual's family, they will discuss these concerns with the DSL and make a risk assessment of the situation. If necessary, the DSL may make a referral to children's social care

If immediate suspension is considered necessary, agree and record the rationale for this with the designated officer. The record will include information about the alternatives to suspension that have been considered, and why they were rejected. Written confirmation of the suspension will be provided

to the individual facing the allegation or concern within 1 working day, and the individual will be given a named contact at the school and their contact details

If it is decided that no further action is to be taken in regard to the subject of the allegation or concern, record this decision and the justification for it and agree with the designated officer what information should be put in writing to the individual and by whom, as well as what action should follow both in respect of the individual and those who made the initial allegation

If it is decided that further action is needed, take steps as agreed with the designated officer to initiate the appropriate action in school and/or liaise with the police and/or children's social care services as appropriate

- Provide effective support for the individual facing the allegation or concern, including appointing a named representative to keep them informed of the progress of the case and considering what other support is appropriate. Employees will be encouraged to seek support from trade union representatives, or a colleague, for example for welfare counselling or medical advice
- Inform the parents or carers of the child/children involved about the allegation as soon as possible if they do not already know (following agreement with children's social care services and/or the police, if applicable). The case manager will also inform the parents or carers of the requirement to maintain confidentiality about any allegations made against teachers (where this applies) while investigations are ongoing. Any parent or carer who wishes to have the confidentiality restrictions removed in respect of a teacher will be advised to seek legal advice
- Keep the parents or carers of the child/children involved informed of the progress of the case (only in relation to their child – no information will be shared regarding the staff member)
- Make a referral to the DBS where it is thought that the individual facing the allegation or concern has engaged in conduct that harmed or is likely to harm a child, or if the individual otherwise poses a risk of harm to a child
- We will inform Ofsted of any allegations of serious harm or abuse by any person living, working, or looking after children at the premises (whether the allegations relate to harm or abuse committed on the premises or elsewhere), and any action taken in respect of the allegations. This notification will be made as soon as reasonably possible and always within 14 days of the allegations being made.
- If the school is made aware that the secretary of state has made an interim prohibition order in respect of an individual, we will immediately suspend that individual from teaching, pending the findings of the investigation by the Teaching Regulation Agency.
- Where the police are involved, wherever possible the school will ask the police at the start of the investigation to obtain consent from the individuals involved to share their statements and evidence for use in the school's disciplinary process, should this be required at a later point.

Additional considerations for supply teachers and all contracted staff

If there are concerns or an allegation is made against someone not directly employed by the school, such as a supply teacher or contracted staff member provided by an agency, we will take the actions below in addition to our standard procedures.

We will not decide to stop using an individual due to safeguarding concerns without finding out the facts and liaising with our NOLA to determine a suitable outcome

The governing board will discuss with the agency whether it is appropriate to suspend the individual, or redeploy them to another part of the school, while the school carries out the investigation

We will involve the agency fully, but the school will take the lead in collecting the necessary information and providing it to the NOLA as required

We will address issues such as information sharing, to ensure any previous concerns or allegations known to the agency are taken into account (we will do this, for example, as part of the allegations management meeting or by liaising directly with the agency where necessary)

When using an agency, we will inform them of our process for managing allegations, and keep them updated about our policies as necessary, and will invite the agency's HR manager or equivalent to meetings as appropriate.

Timescales

We will deal with all allegations as quickly and effectively as possible and will endeavour to comply with the following timescales, where reasonably practicable:

- Any cases where it is clear immediately that the allegation is unsubstantiated or malicious should be resolved within 1 week
- If the nature of an allegation does not require formal disciplinary action, appropriate action should be taken within 3 working days
- If a disciplinary hearing is required and can be held without further investigation, this should be held within 15 working days
- However, these are objectives only and where they are not met, we will endeavour to take the required action as soon as possible thereafter.

Specific actions

Action following a criminal investigation or prosecution

The case manager will discuss with the local authority's designated officer whether any further action, including disciplinary action, is appropriate and, if so, how to proceed, taking into account information provided by the police and/or children's social care services.

Conclusion of a case where the allegation is substantiated

If the allegation is substantiated and the individual is dismissed or the school ceases to use their services, or the individual resigns or otherwise ceases to provide their services, the school will make a referral to the DBS for consideration of whether inclusion on the barred lists is required.

If the individual concerned is a member of teaching staff, the school will consider whether to refer the matter to the Teaching Regulation Agency to consider prohibiting the individual from teaching.

Individuals returning to work after suspension

If it is decided on the conclusion of a case that an individual who has been suspended can return to work, the case manager will consider how best to facilitate this.

The case manager will also consider how best to manage the individual's contact with the child or children who made the allegation, if they are still attending the school.

Unsubstantiated, unfounded, false or malicious reports

If a report is:

- Determined to be unsubstantiated, unfounded, false or malicious, the DSL will consider the appropriate next steps. If they consider that the child and/or person who made the allegation is in need of help, or the allegation may have been a cry for help, a referral to children's social care may be appropriate

- Shown to be deliberately invented, or malicious, the school will consider whether any disciplinary action is appropriate against the individual(s) who made it

Unsubstantiated, unfounded, false or malicious allegations

If an allegation is:

- Determined to be unsubstantiated, unfounded, false or malicious, the LADO and case manager will consider the appropriate next steps. If they consider that the child and/or person who made the allegation is in need of help, or the allegation may have been a cry for help, a referral to children's social care may be appropriate
- Shown to be deliberately invented, or malicious, the school will consider whether any disciplinary action is appropriate against the individual(s) who made it

Confidentiality and information sharing

The school will make every effort to maintain confidentiality and guard against unwanted publicity while an allegation is being investigated or considered.

The case manager will take advice from the NOLA, police and children's social care services, as appropriate, to agree:

- Who needs to know about the allegation and what information can be shared
- How to manage speculation, leaks and gossip, including how to make parents or carers of a child/children involved aware of their obligations with respect to confidentiality
- What, if any, information can be reasonably given to the wider community to reduce speculation
- How to manage press interest if, and when, it arises

Record-keeping

The case manager will maintain clear records about any case where the allegation or concern meets the criteria above and store them on the individual's confidential personnel file for the duration of the case.

The records of any allegation that, following an investigation, is found to be malicious or false will be deleted from the individual's personnel file (unless the individual consents for the records to be retained on the file).

For all other allegations (which are not found to be malicious or false), the following information will be kept on the file of the individual concerned:

- A clear and comprehensive summary of the allegation
- Details of how the allegation was followed up and resolved
- Notes of any action taken, decisions reached and the outcome
- A declaration on whether the information will be referred to in any future reference
-

In these cases, the school will provide a copy to the individual, in agreement with children's social care or the police as appropriate.

Where records contain information about allegations of sexual abuse, we will preserve these for the Independent Inquiry into Child Sexual Abuse (IICSA), for the term of the inquiry. We will retain all other records at least until the individual has reached normal pension age, or for 10 years from the date of the allegation if that is longer.

References

When providing employer references, we will:

- Not refer to any allegation that has been found to be false, unfounded, unsubstantiated or malicious, or any repeated allegations which have all been found to be false, unfounded, unsubstantiated or malicious
- Include substantiated allegations, provided that the information is factual and does not include opinions

Learning lessons

After any cases where the allegations are *substantiated*, the case manager will review the circumstances of the case with the local authority's designated officer to determine whether there are any improvements that we can make to the school's procedures or practice to help prevent similar events in the future.

This will include consideration of (as applicable):

- Issues arising from the decision to suspend the member of staff
- The duration of the suspension
- Whether or not the suspension was justified
- The use of suspension when the individual is subsequently reinstated. We will consider how future investigations of a similar nature could be carried out without suspending the individual

For all other cases, the case manager will consider the facts and determine whether any improvements can be made.

Non-recent allegations

Abuse can be reported, no matter how long ago it happened.

We will report any non-recent allegations made by a child to the NOLA in line with our local authority's procedures for dealing with non-recent allegations.

Where an adult makes an allegation to the school that they were abused as a child, we will advise the individual to report the allegation to the police.

CONCERNS ABOUT STAFF THAT DO NOT MEET THE HARM THRESHOLD

The section is based on 'Section 2: Concerns that do not meet the harm threshold' in part 4 of Keeping Children Safe in Education and applies to all concerns (including allegations) about members of staff, including supply teachers, volunteers, and contractors, which do not meet the harm threshold set out in our Safeguarding Policy.

Concerns may arise through, for example:

- Suspicion
- Complaint
- Disclosure made by a child, parent, or other adult within or outside the school
- Pre-employment vetting checks

We recognise the importance of responding to and dealing with any concerns in a timely manner to safeguard the welfare of children.

Definition of low-level concerns

The term 'low-level' concern does not mean that it is insignificant. It is any concern – no matter how small – that an adult working in or on behalf of the school may have acted in a way that:

- Is inconsistent with the staff code of conduct, including inappropriate conduct outside of work, **and**
- Does not meet the harm threshold or is otherwise not considered serious enough to consider a referral to the LADO.

Examples of such behaviour could include, but are not limited to:

- Being overly friendly with children
- Having favourites
- Taking photographs of children on their mobile phone
- Humiliating Children
- Engaging with a child on a one-to-one basis in a secluded area or behind a closed door
- Using inappropriate sexualised, intimidating or offensive language

Such behaviour can exist on a wide spectrum, from the inadvertent or thoughtless, or behaviour that may look to be inappropriate, but might not be in specific circumstances, through to that which is ultimately intended to enable abuse.

Sharing low-level concerns

We recognise the importance of creating a culture of openness, trust and transparency to encourage all staff to share low-level concerns so that they can be addressed appropriately.

We will create this culture by:

- Ensuring staff are clear about what appropriate behaviour is, and are confident in distinguishing expected and appropriate behaviour from concerning, problematic or inappropriate behaviour, in themselves and others
- Empowering staff to share any low-level concerns
- Empowering staff to self-refer
- Addressing unprofessional behaviour and supporting the individual to correct it at an early stage
- Providing a responsive, sensitive and proportionate handling of such concerns when they are raised
- Helping to identify any weakness in the school's safeguarding system

Responding to low-level concerns

If the concern is raised via a third party, the head teacher will collect evidence where necessary by speaking:

- Directly to the person who raised the concern, unless it has been raised anonymously
- To the individual involved and any witnesses

The head teacher will use the information collected to categorise the type of behaviour and determine any further action, in line with the school's Code of Conduct.

Keeping Children Safe in Education also links to this report for more information [Developing and implementing a low-level concerns policy: A guide for organisations which work with children](#)

Record keeping

All low-level concerns will be recorded in writing. In addition to details of the concern raised, records will include the context in which the concern arose, any action taken and the rationale for decisions and action taken. Advice may be sought from Wokingham Borough Council Human Resources

Records will be:

- Kept confidential, held securely and comply with the DPA 2018 and UK GDPR
- Reviewed so that potential patterns of concerning, problematic or inappropriate behaviour can be identified. Where a pattern of such behaviour is identified, we will decide on a course of action, either through our disciplinary procedures or, where a pattern of behaviour moves from a concern

to meeting the harms threshold as described in section 1 of this appendix, we will refer it to the designated officer at the local authority.

- Retained at least until the individual leaves employment at the school
- Where a low-level concern relates to a supply teacher or contractor, we will notify the individual's employer, so any potential patterns of inappropriate behaviour can be identified.

References

We will not include low-level concerns in references unless:

- The concern (or group of concerns) has met the threshold for referral to the designated officer at the local authority and is found to be substantiated; and/or
- The concern (or group of concerns) relates to issues which would ordinarily be included in a reference, such as misconduct or poor performance

WHISTLEBLOWING

Employees are often the first to realise that there may be something seriously wrong within the school. However, staff may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the school. They may also fear harassment or victimisation. Each person working for Gorse Ride Schools need to realise that they not only have a right, but also a duty to report any improper actions or omissions.

Gorse Ride Schools also recognise and appreciate that employees who raise concerns regarding malpractice or wrongdoing are an asset to the school, not a threat. The Whistleblowing policy makes it clear that they can raise concerns without fear of victimisation, subsequent discrimination or disadvantage.

See Whistleblowing Policy here: [Whistleblowing Policy Dec 21 to Dec 24.pdf](#)

APPOINTMENT AND MANAGEMENT OF STAFF

Employees involved in the recruitment of internal and external staff must ensure that the decision to appoint is based on merit, (see the Recruitment and Selection Policy). An appointment that is based on anything other than the ability of the candidate to do the job may leave the School vulnerable to allegations of discrimination. Employees must not be involved in an appointment where they are related to an applicant, or have a close personal relationship with him or her.

For the purposes of this guidance the definitions of partners/relatives are ongoing personal and emotional relationships, marriage and close family members.

It is the policy of the school that spouses/partners will not be employed where there will be a line management relationship between them relating to discipline, promotion or pay adjustments and/or where they will be employed together in the area of contracts or finance. This will ensure that our parents and staff feel confident that decisions within the School are made in a fair and equitable way based on the reasonable application of professional judgement. Equally managers and supervisors will want to ensure that their decisions are not influenced by personal considerations. The requirement of managers to maintain confidentiality may also put strains on personal relationships.

The responsibility of managers is to investigate the situation and discuss the issues with the employees concerned. Where there is evidence that the working relationship will cause a conflict of interest i.e. where the service involves financial and/or contract work the manager must look for an alternative post for one of the employees involved. The decision of who should move to an alternative post must be based on the degree of impact the loss of either employee would have on the particular service. Each case must be decided on its merits to ensure that the decision made is on objective and reasonable grounds and not unfairly discriminatory.

There may be the opportunity to retain both employees in the same area if another manager can take on the line management element of the role in the same department or if the work can be re-arranged. A decision can only be made once a full investigation has taken place and the employees have had an opportunity to express their views. Where there is no alternative post or way of working, this may result in dismissal for “some other substantial reason”.

Managers must ensure that the decision to redeploy or dismiss is fair and based on measurable criteria. A full investigation must be undertaken before a decision is made. Dismissal is not automatic all other avenues must first be explored.

GIFTS AND HOSPITALITY

Employees must not accept significant personal gifts. However, there are occasions when children or parents wish to pass small tokens of appreciation to staff, e.g. at Christmas or as a thank-you and this is acceptable. However, it is unacceptable to receive gifts on a regular basis or of any significant value, generally not exceeding the value of £25.00. It is the responsibility of the person receiving the favour to prove that it was not received dishonestly. Employees must ensure:

- When acting in an official capacity they must not give the impression that their conduct both inside and outside work with any person or organisation is influenced by the receipt of gifts, rewards and hospitality or any other such consideration.
- They think about the circumstances in which offers are made and are aware that they may be regarded as owing a favour in return.
- They have permission from their line managers before accepting such offers and are aware that the offers may have to be returned or refused.
- That when gifts or hospitality have to be declined those making the offer should be courteously but firmly informed of the procedures and standards operating within the School.
- All offers whether or not accepted must be recorded in the Gifts and hospitality register. See Appendix 2
- Employees must be particularly wary from accepting gifts from a pupil where it is suspected that a pupil has a crush on the employee.

Employees must not accept offers of hospitality unless there is a genuine need to impart information or represent the School in the community. Offers to attend purely social and sporting functions should be accepted only when these are part of the life of the community or where the School should be seen to be represented. They should be properly authorised and recorded in the Gifts/Hospitality Register held in the School.

How an employee should react to an offer depends on the type of offer, the relationship between the parties involved and the circumstances in which the gift or hospitality is offered:

- Employees must not be seen to be acting in their own personal interests and need to be careful that their behaviour cannot be misinterpreted.
- An offer of a bribe or commission made by contractors, their agents or by a member of the public must be reported to the line manager. Hospitality from contractors should also be avoided for where employees/team are singled out for example Christmas lunch etc, this may be perceived as preferential treatment.

No one working for, employed by, or providing services on behalf of the School is to make, or encourage another to make any personal gain out of its activities in any way. Any person becoming aware of a personal gain being made at the expense of the School, contractors or the public should follow the Whistleblowing Policy.

The acceptance of gifts and hospitality may be a subject of criticism placing the School in a position that it has to defend such action. Consequently, it is essential that all details of gifts and hospitality (except small tokens by children or parents as detailed above) be recorded in the Gifts/Hospitality Register. See Appendix 2

SPONSORSHIP –RECEIVING

Where an external organisation wishes to sponsor a School activity, whether by invitation, tender, negotiation or voluntarily, the basic principles concerning acceptance of gifts or hospitality apply. Particular care must be taken when dealing with contractors or potential contractors.

MATTERS OF CONSCIENCE

Where an employee believes he or she is being required to act in a way which is illegal, improper, unethical, or in breach of the School's conventions, which may involve possible maladministration, or which is otherwise inconsistent with the Policy for Conduct he or she should refer to their line or Head Teacher or to the Whistleblowing Policy.

Where an employee is aware, or has evidence of illegal, improper or abusive behaviour of another employee he or she should refer to their line manager or the Policy for Equal Opportunities.

Where an employee is aware, or has evidence of illegal, improper or abusive behaviour of another employee towards a pupil, he or she must notify immediately the head teacher, unless the allegation is against the head teacher, when he or she should bring it to the attention of the Chair of Governors.

Where an employee fails to report such concerns, this may be construed as misconduct and lead to disciplinary action.

PERSONAL BEHAVIOUR

The School believes in treating all employees with respect and trust in a mature, respectful and considerate manner and expects the same approach from employees. The School expects employees to respect the School's property, other employees and their property, suppliers and the public at all times. Employees also demonstrate the characteristics they are trying to inspire in pupils. Failure to observe the standards of behaviour expected breaks the bond of trust that is fundamental to the employer/employee relationship and may lead to disciplinary action.

The Discipline Policy will be initiated where any employee is found to be in breach of this Policy. If an employee is found guilty of gross misconduct he or she may face dismissal.

ABSENCE FROM WORK

All leave should be approved prior to it being taken. This includes parental leave, special leave, etc. Failure to notify absence is unauthorised absence.

POOR TIMEKEEPING

Managers must set a timekeeping standard that is known to all employees. This standard should be applied consistently with employees arriving and departing from their place of work at the agreed times.

Employees must inform their managers/colleagues of their whereabouts and expected time of return when they are out of the office e.g. off-site meetings/visits etc.

NEGLIGENCE

Negligence arises from failure by the employee to exercise reasonable care in his or her work. Employees must not cause loss or damage through carelessness, negligence, a reckless act or breach of instructions. It is only a disciplinary offence if the individual is considered to be personally responsible.

REFUSAL TO OBEY A REASONABLE INSTRUCTION

It is the responsibility of all employees to carry out reasonable instructions. In those circumstances where an employee refuses to obey a reasonable instruction, it will be necessary to investigate the situation and depending on the outcome of an investigation it may result in disciplinary action. See the Whistleblowing Policy, where refusal to carry out a reasonable instruction is linked to a matter of conscience.

SOCIAL BEHAVIOUR

Employees should be aware of the following expected standards of behaviour when attending work related events in and outside of worktime where attendance could be seen as representing the School:

- The Conduct and Personal Behaviour Policy will still apply e.g. regarding drug/ alcohol abuse, harassment and discrimination.
- Consideration and respect for others
- Those in a position of management/supervision should not behave in any way that could undermine their position
- The School should always be seen in a favourable way by the public

DEROGATORY STATEMENTS

In the event of the employee making any derogatory or defamatory statements regarding the School, any member of staff or any pupils, while in the service of the School, disciplinary action may be taken for gross misconduct. Any such statements made after terminating their employment with the School may result in further legal action. Staff must be aware that when using social media websites, such as Facebook and Twitter, they should observe this Policy for Conduct and Personal Behaviour.

Employees using private vehicles for School business must ensure:

- The vehicle is road worthy and complies with Road traffic/Transport regulations.
- That the vehicle is insured for “business use”
- They are licensed to drive the vehicle
- They do not drive under the influence of drink/drugs or where there is ill health that may impair their ability to drive the vehicle safely.
- They abide by the current Road Traffic/Transport Regulations.

ALCOHOL/DRUGS

Employees must ensure that they are not unfit for duty as a result of the effects of alcohol or drugs. Staff should be aware of the lasting effects of alcohol and drugs both prescription and illegal, and ensure that any consumption of these substances does not impair their ability to discharge their duties. See Appendix 1 for further guidance.

SMOKING

Refer to separate smoking policy.

HEALTH & SAFETY

Employees also have a duty to familiarise themselves with all the safety regulations that apply to their job and the area in which they work. Refer to the School's Safety Policy.

FRAUD AND CORRUPTION

An employee who commits a fraudulent act is liable to disciplinary action, which may include dismissal and possible criminal prosecution even for a first offence. Fraud is defined as any manipulation of an accounting system or supply system to enable public money or material to be misappropriated.

Employees involved in the investigation of alleged fraud may be required to sign an additional code of conduct relating to their specific duties.

PRIVATE USE OF OFFICIAL FACILITIES

Employees are not to use official stationery for private purposes and must not carry out private correspondence during working time. Employees are allowed to make private essential telephone calls that cannot be made outside working hours but this privilege must not be abused and the duration of all calls must be kept to a minimum.

Employees must obtain prior approval from their manager to borrow School property for use to work at home, e.g. laptop computer, printer, etc.. When removing School property from the building they may be asked to show evidence of their manager's consent.

REPORTING OF ARRESTS, PROSECUTIONS, ETC

Employees must report to their manager details of any arrest or criminal conviction or caution made against them by the Police (except for minor traffic offences, i.e. where they do not mean imprisonment or suspension of his or her driving licence), where the offence is also a breach of discipline and/or may have a direct impact on the employee's job, or where it calls into question their suitability to work with children.

FALSE STATEMENTS

Employees must not make any false statement e.g. on subsistence/mileage claims, etc. Where there is evidence of an employee submitting such claims, he or she will be liable to disciplinary action and/or prosecution under the Theft Act 1968.

Where an employee has witnessed misconduct i.e. a fraudulent activity; he or she will have a duty to report such an incident. See also – the Whistleblowing Policy.

DISCRIMINATION

It is the School's policy that all current and prospective employees will have equal opportunity for employment, promotion and training on the basis of relevant ability, qualifications and merit. Employees must ensure that they do not unfairly discriminate on the grounds of gender, race, colour, marital status, national or ethnic origin, nationality, disability, sexuality, age or religion. All job applicants and workers are treated equally and the School are willing to make reasonable adjustments where appropriate for disabled applicants and workers.

HARASSMENT/BULLYING

The School seeks to provide an environment for all employees, contractors and temporary workers free from harassment, bullying, intimidation and victimisation.

Disciplinary action will be taken against any employee who is found to have committed a deliberate or unlawful act of discrimination, sexual or racial harassment or bullying. See the Equal Opportunities Policy.

ABUSE OF THE E-MAIL/INTERNET

The School will not accept any abuse of e-mail/internet or telephones. Such behaviour may result in disciplinary action.

The downloading, sending or accessing of offensive material that affect the dignity of any individual or group of individuals at work may constitute harassment. Threatening, obscene or harassing messages including chain e-mails and material that will cause offence and/or degrade individuals or minority groups will constitute a disciplinary offence which may result in dismissal.

Under the Obscene Publications Act 1959 an employee may have criminal liability if an individual publishes material that could corrupt or deprave the persons likely to see the material, this includes the transmission of data stored electronically.

All employees must make themselves aware of the School's IT Policies and in particular the Internet Acceptable Usage Policy and Social Media Policy.

The use of private mobile phones during working hours should be restricted to urgent calls. To ensure colleagues/pupils are not inconvenienced all mobile phones should be set to silent/meeting or vibrate in the school.

DRESS AND APPEARANCE

Dress and Appearance are matters of personal choice and self expression. However, staff should consider the manner of dress and appearance appropriate to their professional role which may be different to that adopted in their personal life. Staff should ensure they are dressed decently, safely and appropriately for the tasks they undertake. Those who dress or appear in a manner which could be considered as inappropriate could render themselves vulnerable to criticism or allegation.

APPENDIX 1 – ALCOHOL AND DRUGS MISUSE

The early identification of an alcohol or drug problem and taking appropriate action will minimise the effect of the problem on the School and other employees and may also help reduce any stress experienced by the individual.

It may be very difficult for people to admit they have a problem. There may well be a feeling of shame or fear of reprisals, particularly if they are taking illegal drugs.

There is no single symptom of an alcohol or drug problem. The presence of any or some of the following may indicate one (unless the employee is suffering from an undisclosed illness/disability):

Absenteeism

- Excessive sick leave, frequent and unexplained absences and lateness
- Frequent Monday and/or Friday absences
- Excessive lateness especially on Monday
- Leaving work early
- Frequent visits to the cloakroom
- Unexplained absence from post

High rate of accidents

- Frequent accidents at work resulting in injury and/or damage to equipment
- Accidents away from work

Poor work performance

- Difficulty in concentrating
- Taking longer than usual to do tasks
- Having a erratic work pattern
- Difficulty in recalling conversations, instructions or details
- Sticking to routine tasks and avoiding complex ones
- Frequent mistakes
- Improbable excuses for poor work
- Telling lies about performance
- Bad decision making
- Reluctance to accept responsibility

Change in personality and behaviour

- Anxiety
- Depression
- Irritability
- Lethargy
- Mood swings
- A tendency to blame others
- Over-sensitivity to criticism
- Problems relating to colleagues
- Avoiding company
- Changes in attitude to authority

Additional signs

- Smelling of alcohol at work
- Intoxicated at work (slurred speech, unsteadiness)
- Bloodshot eyes
- Shaky hands
- Poor personal hygiene and unkempt appearance
- Frequent borrowing of money
- Loss of driving licence through drink driving

The above is only a guideline, managers must investigate and not make assumptions as similar symptoms may occur in some illnesses. When in doubt managers are advised to contact their Personnel Provider.

Managers will encourage employees to seek help as soon as a problem is identified. Consideration will need to be made about the most appropriate action. To help bring any issues into the open a confidential meeting should be arranged with the individual (he/she may be accompanied by either a friend or union representative).

The meeting will need to be handled sensitively and focus on the wish to improve the employee's performance. The purpose should be to encourage the employee to admit there is a problem and explore the cause or reason for the problem.

It is important to establish whether any aspect of the job or stress has made the employee turn to drugs or alcohol.

It should be emphasised that the employee should be encouraged to seek help from a GP or a specialist agency.

Employees with a drink or drugs problem should have the same rights to confidentiality and support as they would if they had any other medical condition.

If the employee has difficulty in admitting there is a problem, then the Capability Policy and Guidance must be followed.

The consequences of continual poor performance need to be underlined if an employee is not ready to admit or refuses to recognise there is a problem. It is important to try and be supportive for as long as possible, however, where there are risks relating to health and safety action, transferring the employee may be necessary in the short term.

Where an employee continually fails to reach adequate performance levels and fails to accept help and/or improve then it may result in dismissal, through the fair application of the Capability Policy.

APPENDIX 2 – REGISTER OF GIFTS AND HOSPITALITY

Name of Employee	Details of Hospitality	Reason for Gift/Hospitality	Individual/Company providing Gift/Hospitality	Approx value of Gift/Hospitality	Date of Gift/Hospitality	Date of disclosure	Entered by



CODE OF CONDUCT AND PERSONAL BEHAVIOUR DECLARATION

I have read and understood the Code of Conduct. I agree to work within the principles of the Code.

Signed :

Full Name :

Date :

Received By :

Amanda Tweed, School Business Manager

Please sign and return to the school along with acceptance of your terms and conditions, prior to commencing employment with the School.